

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

| | | |
|--------------------------|---|-------------------|
| GEORGE HUMES, |) | |
| Plaintiff |) | |
| |) | |
| vs. |) | CIVIL ACTION NO.: |
| |) | |
| LOWES HOME CENTERS, LLC, |) | |
| Defendant |) | |

COMPLAINT AND JURY DEMAND

1. The Plaintiff, George Humes, is an individual residing at 2505 East Bay Drive, Lot 108, Lago, Florida.
2. The Defendant, Lowes Home Centers, LLC, is a foreign corporation organized under the laws of the state of North Carolina, registered to do business in the State of New Hampshire, with a local office at 417 Lafayette Rd., Seabrook, New Hampshire.
3. At all times material hereto, the Defendant owned, controlled, and/or maintained the property at 417 Lafayette Rd., Seabrook, New Hampshire (hereinafter “premises”).

GROUND FOR JURISDICTION

4. This court has jurisdiction as the Plaintiff is a citizen of the State of Florida, the Defendant Lowes Home Centers, LLC, is organized under the laws of the State of North Carolina, and is registered to do business in the State of New Hampshire, with a local office at 417 Lafayette Rd., Seabrook, New Hampshire and the matter in controversy exceeds the sum of \$75,000, exclusive of interest and costs.
5. The defendant, Lowes Home Centers, LLC, is registered to do business in the State of New Hampshire.
6. The defendant, Lowes Home Centers, LLC, maintains a place of business and/or offices at 417 Lafayette Rd., Seabrook, New Hampshire.

STATEMENT OF THE CLAIM

7. The matter in controversy arises from the Defendant’s negligent maintenance of and/or failure to warn of a dangerous condition existing on its business premises in Seabrook, New Hampshire.
8. On or about June 24, 2022 the Plaintiff was lawfully on the premises of the Defendant.

9. On or about June 24, 2022, the Plaintiff, was caused to fall by a defective and dangerous condition then and there existing on the property owned, controlled and/or maintained by the Defendant.

COUNT I - NEGLIGENCE

10. Plaintiff's fall was caused by a defective condition then and there existing on the premises, which condition the Defendant, its agents, servants or employees, knew or should have known existed.
11. Plaintiff's fall and injuries were a direct and proximate result of the negligence of the Defendant, its agents, servants or employees.
12. Defendant was negligent in that it:
- a.) Failed to keep the premises provided for the use of lawful visitors and occupiers, including the Plaintiff, in a reasonably safe condition.
 - b.) Failed to warn lawful visitors and occupiers, including the Plaintiff, of a dangerous condition existing on the premises.
13. As a result of the fall, the Plaintiff, George Humes, sustained severe personal injuries; pain and suffering; incurred medical expenses; and suffered pain of body and mind all to his great damage as set forth herein.

WHEREFORE, the Plaintiff, George Humes, demands judgment against the Defendant, Lowes Home Centers, LLC, in an amount to be determined by the trier of fact, plus interest and costs.

The Plaintiff demands trial by jury on all issues and all counts.

Plaintiff,
By his attorneys:

/s/ David P. Angueira

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Dated this 3rd Day of October, 2022